IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 32649 of 2007(J)

PETITIONER:

C.A.JOY,
(SENIOR ASSISTANT, KSRTC, VAIKOM,
TRD.ON 30/04/2007), CHAKKALAYIL,
KAIPPATTOOR.P.O., ERNAKULAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

BY SC SRI. JOHNSON P. JOHN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 32649 of 2007

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Dated this the 5th day of November, 2007

JUDGMENT

Petitioner retired on 30.4.2007. He has approached this court claiming out of turn payment of the pensionary benefits for the marriage of his daughter, which is scheduled to be held on 26.11.2007.

2. Heard counsel for the respondent also. I feel that some relaxation can be given.

The writ petition is disposed of with a direction to the respondent to effect payment of the amount legally due to the petitioner by way of DCRG or Commuted Value of Pension, whichever is higher. In effecting payment, it is open to the respondent to consider whether there is any agreement executed by the petitioner in favour of any creditor. It is also open to the respondent to deduct any amount due as liability towards the Corporation. If any amounts are to be retained for meeting the liability of the petitioner under any agreement or any liability due to the Corporation, such amount need not be paid. The payment subject to the said conditions is to be made within a period of

one month from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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